

United States District Court  
Southern District of New York

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IN RE PROSHARES TRUST SECURITIES  
LITIGATION

09 Civ. 6935 (JGK)

ORDER

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JOHN G. KOELTL, District Judge:

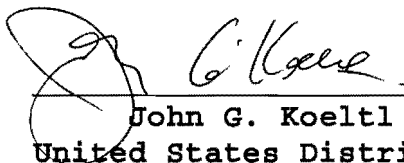
For the reasons stated on the record today, the plaintiffs' motion for leave to amend the second amended complaint is **granted**. The Clerk is directed to close **Docket No. 186**.

The plaintiffs' third amended complaint, which was appended to the plaintiffs' motion for leave to amend, is deemed filed and served upon the defendants.

The defendants' motion to dismiss the second amended complaint, as well as the supplemental briefing relating to the motion to dismiss the second amended complaint, is deemed as directed against the third amended complaint. The defendants should notify the Court by **November 17, 2011** if they wish to supplement their motion to dismiss. If they do so wish, the parties should agree upon a short briefing schedule for any supplemental briefing.

**SO ORDERED.**

Dated: New York, New York  
November 10, 2011

  
John G. Koeltl  
United States District Judge